



United States Government

**NATIONAL LABOR RELATIONS BOARD**

Office of the Executive Secretary

1015 Half Street, SE

Washington, DC 20570

Telephone: 202-273-1736  
Fax: 202-273-4270

[leigh.reardon@nlrb.gov](mailto:leigh.reardon@nlrb.gov)  
[www.nlrb.gov](http://www.nlrb.gov)

March 28, 2018

Alicia E. Pender  
Counsel for the General Counsel  
National Labor Relations Board  
Region 3, Albany Resident Office  
Leo W. O'Brien Federal Building  
11A Clinton Square, Room 342  
Albany, New York 12207  
(518) 419-6256

Re: George J. Martin & Son, Inc.  
Case 03-CA-188649

Dear Ms. Pender:

This letter confirms receipt by this Office on March 26, 2018 of Counsel for the General Counsel's Motion for Partial Summary Judgment in the above-captioned case.

Section 102.24(b) of the Board's Rules and Regulations requires that all motions for summary judgment must be filed with the Board no later than 28 days prior to the scheduled hearing. The hearing in this matter is scheduled for April 17, 2018, which is only 22 days prior to the scheduled hearing. The 28-day limit was established as the minimum time in which the Board can give such motions proper and thorough consideration.

Further, Counsel for General Counsel's Motion does not meet the exception to the 28-day filing requirement set forth in Section 102.24(b) of the Board's Rules, which states that "where the hearing is scheduled less than 28 days after the date for filing an answer to the complaint or compliance specification..., the motion must be filed promptly." In this case, the Respondent's answer to the compliance specification was due on February 1, 2018, more than 28 days prior to the scheduled hearing.

Accordingly, as Counsel for the General Counsel's Motion for Partial Summary Judgment was not timely filed with the Board, it will not be forwarded to the Board for consideration.

Very truly yours,

/s/ Leigh A. Reardon  
Associate Executive Secretary

cc: Parties, including Region 3